

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  MUFTHIHA SABARATNAM, ESQ. (State Bar No. 162982) Law Office of Mufthiha Sabaratnam 11601 Wilshire Blvd. Suite 500 Los Angeles, CA 90025 Tel:(310)575-4893 Fax:(213)403-6230  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for:	FOR COURT USE ONLY
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<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</b>	
In re: DURELL M. HENSLEY       Debtor(s).	CASE NO.: 2:13-16875RK CHAPTER: 11       <b>NOTICE OF SALE OF ESTATE PROPERTY</b>

<b>Sale Date:</b> 03/18/2014	<b>Time:</b> 2:30 pm
<b>Location:</b> Courtroom 1675, 16th Floor, 255 E. Temple Street, Los Angeles, CA 90012	

**Type of Sale:** ☒ Public ☐ Private **Last date to file objections:** 03/4/2014

**Description of property to be sold:**

3605 Moore St., LOS ANGELES, CA 90066 ("Moore Property"). Mar Vista.Corner location, 3 Bdrm, 2 Bath house, wood deck patio, pool set off to one side to leave plenty of yard. Master Bdrm includes full bath with private 2nd floor TV/lounge Loft looking down into master bedroom. Very nice front yard, property completely fenced. Large corner lot offers endless possibilities to rebuild or add on.

**Terms and conditions of sale:**

Condition of sale of the Moore Property and Assessments.

a. The Moore Property is being sold on an "as is" and "where is" basis and Debtor has not made any written or oral representation to the Buyers as to the condition of Moore Property.

**Proposed sale price:** \$ 950,500.00

**Overbid procedure (if any):**

See Attached.

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Mufthiha Sabaratnam  
11601 Wilshire Blvd., Suite 500  
Los Angeles, CA 90025  
Tel: (310)575-4893

James E. Mann BROKER  
CB Platinum Commercial  
3500 Barranca Pkwy Suite 120  
Irvine, CA 92606

Tel: 949-552-0505 x144; 949-552-6784 Fax; Jim@CBPlatinumCommercial.com2/22/2014

Date: 2/22/2014

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
11601 Wilshire Boulevard, Suite 500, Los Angeles, CA 90025

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) \_\_\_\_\_, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Mark Domeyer mdomeyer@mileslegal.com Mark Domeyer mdomeyer@mileslegal.com Todd S Garan  
ch11ecf@piteduncan.com Todd S Garan ch11ecf@piteduncan.com Lemuel B Jaquez bjaquez@mileslegal.com Alvin  
Mar alvin.mar@usdoj.gov Jeannette Marsala jmarsala@pralc.com, cmartin@pralc.com Kelly M Raftery  
bknotice@mccarthyholthus.com Cassandra J Richey cmartin@pralc.com Mufthiha Sabaratnam pke115mfs@yahoo.co  
☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) 02/22/2014, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

02/22/2014 Mufthiha Sabaratnam  
Date Printed Name

/s/Mufthiha Sabaratnam  
Signature

Petition Family Trust Dated July 13, 1992  
The Bank of New York Mellon, as Trustee...  
Miles, Bauer, Bergstrom & Winters, LLP  
1231 E. Dyer Road, Suite 100  
Santa Ana, CA 92705-5643

Label Matrix for local noticing  
0973-2  
Case 2:13-bk-16875-RK  
Central District Of California  
Los Angeles  
Fri Dec 6 12:23:05 PST 2013

The Bank of New York, et al  
8501 Fallbrook Avenue  
West Hills, CA 91304-3242

Wells Fargo Bank, N.A., as trustee, on behal  
c/o McCarthy & Holthus, LLP  
1770 Fourth Avenue  
San Diego, CA 92101-2607

Los Angeles Division  
255 East Temple Street,  
Los Angeles, CA 90012-3332

ALLIANCE ONE  
6160 Mission Gorge Rd.  
San Diego, CA 92120-3449

AMERICAN CAPITAL ENT  
Acct#: 1488  
27919 JEFFERSON AVE STE  
TEMECULA, CA 92590-2653

ASSET ACCEPTANCE LLC  
Acct#: 0444  
P.O. BOX 2036  
WARREN, MI 48090-2036

ASSET ACCEPTANCE LLC  
Acct#: 0942  
P.O. BOX 2036  
WARREN, MI 48090-2036

ASSET ACCEPTANCE LLC  
Acct#: 9302  
P.O. BOX 2036  
WARREN, MI 48090-2036

American Express Bank, FSB  
c o Becket and Lee LLP  
POB 3001  
Malvern, PA 19355-0701

Americas Servicing Co  
Acct#: 0585  
Po Box 10328  
Des Moines, IA 50306-0328

Amex  
Acct#: 0913  
Po Box 297871  
Fort Lauderdale, FL 33329-7871

Amex  
Acct#: 6563  
Po Box 297871  
Fort Lauderdale, FL 33329-7871

Asset Acceptance LLC  
PO Box 2036  
Warren MI 48090-2036

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

Bank Of America  
Acct#: 0643  
Po Box 1598  
Norfolk, VA 23501-1598

Bank Of America  
Acct#: 5267  
Po Box 1598  
Norfolk, VA 23501-1598

Bank of America, N.A.  
NC4-105-02-99  
PO Box 26012  
Greensboro, NC 27420-6012

CAINE & WEINER  
Acct#: 4813  
PO BOX 5010  
WOODLAND HILLS, CA 91365-5010

CONVERGENT/B of A  
Acct#: 1899  
PO Box 9004  
Renton, WA 98057-9004

Chase  
Acct#: 1222  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 1807  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 2785  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 2896  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 3066  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 3148  
Po Box 15298  
Wilmington, DE 19850-5298

Chase  
Acct#: 3178  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 3863  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 4153  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 6109  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 6109  
Po Box 901039  
Fort Worth, TX 76101-2039

Chase  
Acct#: 7618  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 9048  
Po Box 24696  
Columbus, OH 43224-0696

Chase  
Acct#: 9048  
Po Box 901039  
Fort Worth, TX 76101-2039

Chase  
Acct#: 9256  
Po Box 24696  
Columbus, OH 43224-0696

Chase Manhattan Mtge  
Acct#: 7099  
3415 Vision Dr  
Columbus, OH 43219-6009

Concord  
Acct#: 0040  
6560 N Scottsdale Rd #g100  
Scottsdale, AZ 85253-4432

Dennis McCarthy  
RealEstateConsulting&Brokerage  
10956 Welburn Ave#208  
Los Angeles, CA 90024-2837

Deutsche Bank National Trust Company, et al  
Chase Records Center  
Attn: Correspondence Mail  
Mail Code LA4-5555, 700 Kansas Lane,  
Monroe, LA 71203

Expo/cbna  
Acct#: 7570  
Po Box 6497  
Sioux Falls, SD 57117-6497

FRANCHISE TAX BOARD  
ATTENTION: BANKRUPTCY  
P.O. BOX 2952  
SACRAMENTO, CA 95812-2952

FRANCHISE TAX BOARD  
BANKRUPTCY SECTION MS A340  
PO BOX 2952  
SACRAMENTO CA 95812-2952

Farmers & Merchants Ba  
Acct#: 0041  
1695 Adolfo Lopez Dr  
Seal Beach, CA 90740-5620

Farmers and Merchants Bank  
Attn: Collections Dept  
1695 Adolfo Lopez Drive  
Seal Beach CA 90740-5620

First Nationwide Mtg  
Acct#: 4071  
840 Stillwater Rd Bldg B  
West Sacramento, CA 95605-1630

Gmac Mortgage  
Acct#: 0696  
Po Box 4622  
Waterloo, IA 50704-4622

Gmac Mortgage  
Acct#: 0747  
Po Box 4622  
Waterloo, IA 50704-4622

Gmac Mortgage  
Acct#: 6434  
Po Box 4622  
Waterloo, IA 50704-4622

Gmac Mortgage  
Acct#: 9730  
Po Box 4622  
Waterloo, IA 50704-4622

INTEGRITY SOLN SERV  
Acct#: 9004  
for CS PARADISO  
PO Box 1898  
Saint Charles, MO 63302-1898

INTERNAL REVENUE SERVICE  
P.O. Box 7346  
Philadelphia, PA 19101-7346

JPMorgan Chase Bank, National Association  
Chase Records Center  
Attn: Correspondence Mail  
Mail Code LA4-5555  
700 Kansas Lane  
Monroe, LA 71203-4774

Karen G. Krasney, Stephen Pettise and Arlene  
Law Offices of Allan D. Sarver  
16000 Ventura Blvd Suite 1000  
Encino, CA 91436-2762

LOS ANGELES COUNTY TAX COLLECT  
225 N. HILL ST., ROOM 122  
Los Angeles, CA 90012-3253

National City Bank  
Acct#: 7189  
1 Financial Pkwy  
Kalamazoo, MI 49009-8003

Onewest Bank  
Acct#: 1776  
6900 Beatrice Dr  
Kalamazoo, MI 49009-9559

Onewest Bank  
Acct#: 5023  
401 Wilshire Blvd  
Santa Monica, CA 90401-1416

Onewest Bank  
Acct#: 5794  
6900 Beatrice Dr  
Kalamazoo, MI 49009-9559

PETTISE FAMILY TR/KARENKRANSNEY  
c/o Stephen T. Pettise Trustee  
2744 Gallvan LP  
Park City, UT 84060-7074

PNC Bank  
P.O. Box 94982  
Cleveland, OH 44101-4982

Pacific Pr  
Acct#: 5716  
1600 Sunflower Avenue  
Costa Mesa, CA 92626-1544

Pnc Bank, N.a.  
Acct#: 5957  
1 Financial Pkwy  
Kalamazoo, MI 49009-8003

Pncbank  
Acct#: 7189  
2730 Liberty Ave  
Pittsburgh, PA 15222-4704

ROBERT Wall  
8033 Sunset Blvd., Suite 1049  
Los Angeles, CA 90046-2401

Real Time Resolutions  
Acct#: 2590  
1750 Regal Row Ste N  
Dallas, TX 75235-2289

(p)REAL TIME RESOLUTIONS INC  
PO BOX 36655  
DALLAS TX 75235-1655

Sears/cbna  
Acct#: 0259  
Po Box 6282  
Sioux Falls, SD 57117-6282

Sears/cbna  
Acct#: 5566  
Po Box 6282  
Sioux Falls, SD 57117-6282

Select Portfolio Svcin  
Acct#: 8216  
Po Box 65250  
Salt Lake City, UT 84165-0250

Suntrust Mortgage  
Acct#: 7209  
Po Box 780  
Waterloo, IA 50704-0780

TEK-COLLECT INC  
Acct#: 0349  
871 PARK ST  
COLUMBUS, OH 43215-1441

The Bank of New York Mellon, et al  
c/o Prober & Raphael  
Attornys For Secured Creditor  
P.O. Box 4365  
Woodland Hills, CA 91365-4365

The Bank of New York Mellon, as Trustee...  
Miles, Bauer, Bergstrom & Winters, LLP  
1231 East Dyer Road Suite 100  
Santa Ana, CA 92705-5643

The Bank of New York Mellon, et al  
c/o Prober & Raphael, A Law Corporation  
P.O. Box 4365  
Woodland Hills, CA 91365-4365

United Consumer Finl S  
Acct#: 6515  
865 Bassett Rd  
Westlake, OH 44145-1142

United States Trustee (LA)  
725 S Figueroa St., 26th Floor  
Los Angeles, CA 90017-5413

Verizon California Inc  
Acct#: 8482  
500 Technology Dr  
Weldon Spring, MO 63304-2225

WELLS FARGO  
Acct#: 4470  
Payment Remittance Center  
PO Box 54349  
Los Angeles, CA 90054-0349

Wayne Harman  
11620 Mayfield Ave. Suite 100  
Los Angeles CA 90049-5741

Wells Fargo Bank, N.A.  
Business Direct Division  
P.O. Box 29482  
Phoenix, AZ 85038-9482  
Telephone number: (888) 715-4315

Wells Fargo Bank, N.A.  
Chase Records Center  
Attn: Correspondence Mail  
Mail Code LA4-5555  
700 Kansas Lane  
Monroe, LA 71203-4774

Wells Fargo Bank, N.A.  
c/o Select Portfolio Servicing, Inc.  
3815 South West Temple  
Salt Lake City, UT 84115-4412

(p)WELLS FARGO BANK NA  
WELLS FARGO HOME MORTGAGE AMERICAS SERVICING  
ATTN BANKRUPTCY DEPT MAC X7801-014  
3476 STATEVIEW BLVD  
FORT MILL SC 29715-7203

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Law Offices of Allan D. Sarver  
16000 Ventura Blvd Suite 1000  
Encino, CA 91436-2762

Durell M Hensley  
12810 Marco Pl  
Los Angeles, CA 90066-3055

James E Mann  
Coldwell Banker Platinum Commercial Real  
3500 Barranca Parkway Ste 120  
Irvine, CA 92606-8227

Karen Krasney  
Law Offices of Allan D. Sarver  
16000 Ventura Blvd Suite 1000  
Encino, CA 91436-2762

Mufthiha Sabaratnam  
11601 Wilshire Bl Ste 500  
Los Angeles, CA 90025-1741

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank Of America  
Acct#: 0393  
Po Box 982235  
El Paso, TX 79998

(d)Bank Of America  
Acct#: 2302  
Po Box 982235  
El Paso, TX 79998

(d)Bank Of America  
Acct#: 2751  
Po Box 982235  
El Paso, TX 79998

(d)Bank Of America  
Acct#: 6626  
Po Box 982235  
El Paso, TX 79998

(d)Bank Of America  
Acct#: 8923  
Po Box 982235  
El Paso, TX 79998

(d)Bank Of America  
Acct#: 9492  
Po Box 982235  
El Paso, TX 79998

(d)Bank Of America, N.a.  
Acct#: 0264  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 0272  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 0360  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 0392  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 0699  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 0869  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 0877  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 1415  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 1599  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 1826  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 2399  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 2574  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 2590  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 2863  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 3057  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 3503  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 4025  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 5499  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 6443  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 6599  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 6799  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 6880  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 6899  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 7194  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 7824  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 8385  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 8393  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 9399  
4161 Piedmont Pkwy  
Greensboro, NC 27410

(d)Bank Of America, N.a.  
Acct#: 9707  
4161 Piedmont Pkwy  
Greensboro, NC 27410

Real Time Resolutions, Inc.  
1349 Empire Central Drive, Suite #1  
PO Box 36655  
Dallas, Texas 75247-4029

Wells Fargo Hm Mortgag  
Acct#: 2606  
8480 Stagecoach Cir  
Frederick, MD 21701

(d)Wells Fargo Hm Mortgag  
Acct#: 4254  
8480 Stagecoach Cir  
Frederick, MD 21701

(d)Wells Fargo Hm Mortgag  
Acct#: 5383  
8480 Stagecoach Cir  
Frederick, MD 21701

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Courtesy NEF

(u)JP Morgan Chase Bank

(u)Wells Fargo Bank, N.A. as trustee for WaMu

(u)Bk Of Amer  
Acct#: 9213

(u)Dewey Services Inc.  
Acct#: 1488

(u)Godley Park Homeowne  
Acct#: 0349

(u)La Department Of Wat  
Acct#: 4813

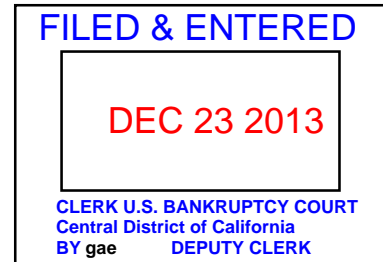
(u)James E Mann

End of Label Matrix  
Mailable recipients 90  
Bypassed recipients 8  
Total 98



MUFTHIHA SABARATNAM, ESQ.  
State Bar No.: 162982  
SABARATNAM & ASSOCIATES  
11601 Wilshire Blvd., Suite 500  
Los Angeles, CA 90025  
Telephone No.: (310)575-4893  
Facsimile No.: (213)403-6230

Counsel for Debtors



UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION

In re

Durell M. Hensley  
Debtor.

Case No.: **2:13-bk-16875-RK**

**ORDER on** Motion for Order Establishing  
Procedures and approving Overbid Procedures  
for the Sale of Estate Property located at 3605  
Moore St., Los Angeles, CA 90066 and 3604  
Beethoven Street, Los Angeles, Ca 90066;

**Hearing :**

DATE: December 17, 2013  
TIME: 2.30 p.m.  
Courtroom: 1675  
255 East Temple Street  
Los Angeles, CA 90012  
Hon. Robert Kwan

On December 17, 2013, Debtor's Motion for Order Establishing Procedures and approving  
Overbid Procedures for the Sale of Estate Property located at 3605 Moore St., Los Angeles, CA  
90066 and 3604 Beethoven Street, Los Angeles, Ca 90066 ("Motion") was heard in Court room  
1675 before the undersigned United States Bankruptcy Judge. Mufthiha Sabaratnam, Esq.

1 appeared on behalf of the Debtor. Mark T. Domeyer appeared on behalf of Bank of New York  
2 Mellon. Todd S. Garan appeared on behalf of Wells Fargo Bank, N.A. as trustee for WaMu  
3 Mortgage pass-through Certificates Series 2004-PR2 Trust ("Wells Fargo Bank"). All other  
4 appearances were as stated on the record.

5 The Court having reviewed the Motion, the oppositions filed by The Bank of New York  
6 Mellon and Wells Fargo Bank, and having heard the arguments of counsel, and having found that,  
7 under the circumstances of the case, for other good and adequate cause,  
8

9 IT IS HEREBY ORDERED that the Motion is granted as follows:

10 1. The Motion is granted;

11 The following Bid Procedures are hereby approved with respect to the sale of the Beethoven  
12 Property and Moore Street Property:

13 a. **Stalking Horse:**

14 The highest offerors for the Beethoven Property and Moore Street property shall be the stalking  
15 horse for the Beethoven Property and the Moore Street property, without the possibility of a  
16 breakup fee.

17 b. **Timing: Procedures and Qualified Bids:** The debtor may solicit offers to purchase the  
18 Beethoven Property and Moore Street property at any time up and to the offer deadline. The offer  
19 deadline shall be **January 9, 2014** (the "Offer deadline"); Any Offer must have satisfied the  
20 following conditions in order to be considered by the Debtor to be a "Qualified Offer":

21 (i) the offer must be for at least \$10,000 more than the current highest offer for the Beethoven  
22 Street Property or the Moore Street property;(ii) the offer must be presented in summary form and  
23 include a Bid for Purchase of Real Property, together with a comparison between the proposed  
24 purchase agreement and the Bid (provided that nothing herein shall restrict any offer from  
25 proposing terms which are different from the terms set forth in the Bid); (iii) **no financing**  
26 **contingencies**; (iv) proof of funds, which proof may include unqualified commitment letters from  
27  
28

reputable and financially able institutions together with such information documents and financial statements which will establish to the Debtor's satisfaction that the offeror has the ability and capacity to consummate the transaction, which information may include both current and historical financial statements and other information related to offeror's knowledge and experience with respect to assets similar in nature as well as the ability to close; (v) accompanied by a deposit in the amount of \$50,000 which deposit shall become immediately non-refundable in the event the person who submitted the Qualified Offer is the winning bidder on the Sale Auction Date as defined below;

**c. Offer Evaluation Process**

Debtor shall distribute any offers received by debtor to the offerors upon receipt. Debtor shall consider all offers and shall determine in its business judgment whether any offer constitutes a qualified offer. Debtor shall notify purchasers and each person who has submitted an offer whether such persons offer constituted a Qualified Offer no later than seven days prior to the sale auction date as defined below. Notwithstanding anything to the contrary set forth elsewhere herein, the debtor shall have no obligation to accept any Qualified bid if it is not on substantially the same terms and conditions as the Bid ( other than monetary terms) or otherwise withdraw motion to sell the Beethoven Property and Moore Street property at any time up to and including the sale confirmation hearing( as defined below). The rights of any interested party to object to the debtor's approval of Offer as a Qualified Offer, or the debtor's acceptance or rejection of any other otherwise Qualified Offer are preserved in their entirety and maybe raised at any time up to and including the sale confirmation hearing; provided that the Debtor and/or purchasers each reserve the right to revise its conditions of purchase and these bid procedure terms and conditions in response to any such objections.

//

**d. Sale Auction Date.**

Based on the offers received by the Debtor, sale auction date has been set for both properties January 10, 2014, at which time all persons who have submitted qualified offers, shall be entitled to bid on the Beethoven Property and the Moore Street property.

The Sale auction shall be held at the Law offices of Mufthiha Sabaratnam. The Debtor shall conduct the auction. Bids shall be in the minimum incremental amounts of \$15,000. The bidding will continue until there are no higher and better bids, with the right to purchase the Beethoven Property and/or Moore Street property being awarded to the highest and best bid at the conclusion of the auction. All other bidders shall be entitled to immediate return of their deposits at the conclusion of the auction; provided that any bidder, may elect to leave its deposit in and be considered a backup offer in the same order of priority as it placed in the bidding.

**e. Sale Confirmation Hearing**

Debtor will file and serve the auction results on all parties entitled to notice, at least two (2) days prior to the sale confirmation hearing, at which time the debtor will request that the bankruptcy court enter an order setting forth the appropriate findings of fact, conclusions of law and orders, including confirmation of the auction and awarding of the sale of the Beethoven Property and/or Moore Street property to the winning bidder .

**f. Closing Date:**

The closing of the sale shall occur ten (10) calendar days from the escrow's receipt of a certified copy of the Sale Order.

g. Treatment of Secured Creditor's Claims:

1. The Bank of New York Mellon: Moore Street Property:

With respect to secured creditor, The Bank of New York Mellon, holder of the first trust deed lien, on the Moore Street property, the sale of the collateral is expressly conditioned as follows: that the


1 sale of the collateral either be for a full pay-off or on terms approved by the creditor in writing or  
2 that the creditor be able to credit bid in accordance with 11 U.S.C. Section 363(k) if the creditor  
3 does not believe that the sale price obtained by the public sale is sufficient.

4 2. Wells Fargo Bank, N.A.; 3604 Beethoven Property: With respect to secured creditor,  
5 Wells Fargo Bank, holder of the first deed of trust lien encumbering the 3604 Beethoven Street  
6 property ("Beethoven Property"). The sale of the Beethoven property is expressly conditioned  
7 upon Wells Fargo Bank's, written consent to the terms of the sale, and payment in full to Wells  
8 Fargo Bank directly from escrow, from the proceeds of the sale as a first position secured creditor  
9 in accordance with the terms and provisions of any pay off provided by Wells Fargo Bank. Wells  
10 Fargo Bank, shall not be required to remove its lien encumbering the Beethoven property unless  
11 and until it is paid in full in accordance with any payoff demand, provided as Debtor is proceeding  
12 in accordance with 11 U.S.C. Section 363(b) upon entry of this Order, Wells Fargo Bank shall  
13 provide a formal, current, written payoff demand to Debtor's counsel and the designated escrow  
14 officer. Wells Fargo Bank's Claim secured by the Beethoven Property including those amounts  
15 specified in any pay off provided by Wells Fargo Bank shall be undisputed. Wells Fargo Bank's  
16 claim shall not be surcharged in any way with the costs of the sale, or any other administrative  
17 claims, costs or expenses in connection with the sale of the Beethoven Property. Further, at least  
18 48 hours prior to any scheduled closing of escrow, Debtor or the escrow representative must  
19 provide Wells Fargo Bank's counsel with a copy of the final estimated HUD-1 Settlement/Closing  
20 Statement for review and approval. If the sale is delayed or rescinded for any reason, Wells Fargo  
21 Bank's counsel (and any parties identified in a payoff demand) must be notified in writing. Wells  
22 Fargo Bank's claim we continue to accrue interest at its per diem rate in any payoff demand,  
23 provided until said claim is paid off in full. Wells Fargo Bank reserves the right to require an  
24 updated payoff demand prior to any close of escrow to ensure Wells Fargo Bank's claim is paid in  
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1 full. Wells Fargo Bank's lien shall immediately attached to the sale proceeds with the same force  
2 and effect and in the same priority, validity and scope as its lien. Finally, Debtor or the escrow  
3 representative will provide Wells Fargo Bank's counsel with a copy of the final HUD-1  
4 Statement/Closing Statement upon completion of the sale, or authorize Wells Fargo Bank's  
5 counsel to obtain a copy of the same directly from the designated escrow office upon request.  
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7 IT IS SO ORDERED.

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23 Date: December 23, 2013

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25 Robert Kwan  
26 United States Bankruptcy Judge  
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## NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) **ORDER on Motion for Order Establishing Procedures and approving Overbid Procedures for the Sale of Estate Property located at 3605 Moore St., Los Angeles, CA 90066 and 3604 Beethoven Street, Los Angeles, Ca 90066;**

was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

**I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of 12/23/2013, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below:

- Todd M Bailey todd.bailey@ftb.ca.gov
- Mark Domeyer mdomeyer@mileslegal.com
- Todd S Garan ch11ecf@piteduncan.com
- Lemuel B Jaquez bjaquez@mileslegal.com
- Erica T Loftis bknotice@rcolegal.com
- Alvin Mar alvin.mar@usdoj.gov
- Jeannette Marsala jmarsala@pralc.com, cmartin@pralc.com
- Kelly M Raftery bknotice@mccarthyholthus.com
- Cassandra J Richey cmartin@pralc.com
- Mufthiha Sabaratnam pke115mfs@yahoo.com
- Allan D Sarver ADSarver@aol.com
- United States Trustee (LA) ustregion16.la.ecf@usdoj.gov
- Edward T Weber bknotice@rcolegal.com
- Kristin A Zilberstein bknotice@mccarthyholthus.com, kzilberstein@mccarthyholthus.com

**II. SERVED BY THE COURT VIA U.S. MAIL:** A copy of this notice and a true copy of this judgment or order was sent by U.S. Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

**Debtor**

**Durell Hensley  
12810 Marco Place.  
Los Angeles, CA 90066**

**III. TO BE SERVED BY THE LODGING PARTY:** Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s) and/or email address(es) indicated below: